



Drinking Water State Revolving Fund (DWSRF) Guidance for Compliance with the Davis-Bacon Related Act (DBRA) Small/Private Owned Systems- Roles & Responsibilities



Any project funded in whole or in part by a DWSRF loan is subject to the federal DBRA wage provisions. DBRA requires that all laborers and mechanics employed by contractors or subcontractors on federally funded infrastructure projects be paid wages at rates not less than those prevailing wage rates determined by the U.S. Department of Labor (DOL) in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code. The table below outlines the DBRA requirements, roles and responsibilities, and aims to track project milestones for DWSRF projects in New Hampshire.

	Loan Recipient with Assistance of Project Consultant/Engineer	Construction Contractor	New Hampshire Department of Environmental Services (NHDES)
Loan Agreement	<input type="checkbox"/> Receives information from NHDES regarding DBRA and agrees to comply with requirements in the loan agreement.	<input checked="" type="checkbox"/> N/A (Contractors are not involved with the loan agreement phase).	<input type="checkbox"/> Explains DBRA requirements to loan recipient and ensures provisions are included in the loan agreement.
Design & Bid	<input type="checkbox"/> Obtains appropriate general wage decision(s) (GWD) for project from NHDES. <input type="checkbox"/> Incorporates GWD and DBRA requirements into solicitation and contract (Front End) documents. <input type="checkbox"/> Monitors the wage determination to ensure the GWD remains current.	<input type="checkbox"/> Incorporates appropriate wage rates (provided in Front End Documents) in bid proposal. <input type="checkbox"/> Attends pre-bid meeting (may not be mandatory) to understand project scope and applicable DBRA requirements.	<input type="checkbox"/> Verifies inclusion of correct GWD(s) in solicitation & contract documents. <input type="checkbox"/> Monitors to ensure the wage decision remains current. <input type="checkbox"/> Attends pre-bid meeting (if available) to provide an overview of requirements.
Pre-Construction /Contract Award	<input type="checkbox"/> Schedules pre-construction meeting and invite NHDES. <input type="checkbox"/> Provides NHDES with a copy of signed contract. <input type="checkbox"/> If project is not awarded within 90 days, GWD may need to be updated.	<input type="checkbox"/> Identifies any missing classifications from GWD and work with NHDES to request additional classification and wage rates (SF-1444) from DOL. <input type="checkbox"/> Attends pre-construction meeting & provide list of subcontractors to NHDES. <input type="checkbox"/> Ensures all subcontractors are aware of DBRA requirements and applicable wage rates, subcontracts include language regarding requirements and applicable wage rates, and subcontractor compliance with the requirements.	<input type="checkbox"/> Attends pre-construction meeting and explains DBRA requirements and answer questions. <input type="checkbox"/> Provides a DBRA poster and other posting requirements (as courtesy). <input type="checkbox"/> Reviews and processes contractor/subcontractor requests for additional classification and wage rates (SF-1444) and submits to DOL for response.
Construction	<input type="checkbox"/> Maintains weekly contractor work log verifying what dates contractor and subcontractors worked onsite. <input type="checkbox"/> Submits the weekly contractor work log with monthly disbursement request.	<input type="checkbox"/> Posts DBRA wage rates and poster in location visible to all employees and subcontractor employees. <input type="checkbox"/> Pays employees weekly and at no less than prevailing wage rates outlined in GWD for time worked onsite. <input type="checkbox"/> Collects and forwards all certified payrolls (Form wh347) to loan recipient/consultant and NHDES within seven (7) days of the employers pay date.	<input type="checkbox"/> Conducts site inspections and confidential employee interviews to verify compliance with DBRA requirements. <input type="checkbox"/> Conducts compliance review of all certified payrolls and issue DBRA compliance reports. <input type="checkbox"/> If payroll discrepancies are identified during compliance review, NHDES facilitates resolution. <input type="checkbox"/> Provides technical assistance as needed.
Project Completion	<input type="checkbox"/> Notifies NHDES of project completion. <input type="checkbox"/> Maintains copies of all payrolls and related materials for a period of three (3) years from final completion.	<input type="checkbox"/> Prime and Subcontractors must maintain copies of all payrolls and related materials for a period of three (3) years from final completion.	<input type="checkbox"/> Conducts final compliance review of all certified payrolls and issues DBRA compliance reports.